IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WA.No. 885 of 2007()

(AGAINST THE JUDGMENT IN W.P.(C).NO.7569/2006 DATED 14/2/2007)

APPELLANT: PETITIONER IN WP(C)NO.7569/2006

ANIL KUMAR P.P., KARINGANATTIL HOUSE,
CHAMAMPATHAL P.O., KOTTAYAM DISTRICT,
(FORESTER, BODIMET SECTION, DEVIKULAM RANGE,
MUNNAR FOREST DIVISION)

BY ADV. SRI.SIBY MATHEW

RESPONDENTS: RESPONDENTS IN WP(C)NO.7569/2006

1. KERALA PUBLIC SERVICE COMMISSION,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY.

2. THE CONSERVATOR OF FORESTS,
HIGH RANGE CIRCLE.

R1 BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC

R2 BY GOVT. PLEADER SRI BENNY GERVACIS

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A.NO.226/2007 IN W.A.NO.885/2007

Dismissed

Sd/-
P.RRaman, Judge.

10/4/2007

Sd/-
Antony Dominic, Judge.

P.R.RAMAN & ANTONY DOMINIC,JJ.

W.A.NO.885 OF 2007

Dated this the 10th day of April, 2007

JUDGMENT

Antony Dominic,J.

Petitioner in the writ petition is the appellant. Writ petition was filed seeking to quash Ext.P4 and for a direction to the lst respondent to take the measurement of the appellant's chest through another Board and to publish a fresh rank list including the the petitioner, if he is otherwise eligible. It is seen that it was pursuant to Ext.P2 vacancy notification that the appellant had applied for the post of Forest Ranger's Course. In that notification the required chest measurement specified was 84 cms. It is the admitted case that on measurement, the appellant did not satisfy the requirement and it was therefore that the appellant was not eventually selected. The fact remains that the appellant did not challenge the prescription of chest measurement as specified in Ext.P2.

2. However, the appellant seeks to rely on Ext.P5, a subsequent notification, which prescribed 79 cms. as against 84 cms. mentioned in Ext.P2. In our view Ext.P5 does not advance the case of the appellant for the reason that it pertains to subsequent selection and his eligibility

depends upon the specifications of Ext.P2. It is the admitted position that the appellant did not satisfy the prescription of chest measurement as specified in Ext.P2. In view of this, the learned Single Judge has rightly dismissed the writ petition and we see no reason to differ from the view taken by the learned Single Judge.

Writ Appeal is dismissed.

P.R.RAMAN,
Judge.

ANTONY DOMINIC,
Judge.

kcv.